

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-22457-2018

Date of decision: 21.08.2018

Kela Devi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. J.S. Mehndiratta, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Sanjeev Kumar Birla, Advocate,
for the complainant.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 27 dated 06.02.2018 under Sections 304-B, 34 of IPC, registered at Police Station Rampura, District Rewari.

Learned counsel appearing on behalf of the petitioner would contend that the material witness in the said case has been examined and a reading of the said statement would reveal that in his cross-examination, the complainant has categorically admitted that there was no complaint regarding demand of dowry made during the life time of the deceased. He further submits that petitioner has been in custody since 14.03.2018. In this background, he prays for grant of bail to the petitioner.

Ms. Gaganpreet Kaur, learned AAG, Haryana as well as

learned counsel for the complainant, opposed the grant of regular bail while submitting that the allegations against the petitioner herein are serious in nature.

I have heard learned counsel for the parties.

In view of the fact that the petitioner herein has been incarcerated since 14.03.2018 and the material witness has been examined and the trial is likely to take some time to conclude, the present petition is allowed. Without expressing any opinion on merits of the case, the petitioner is ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned subject to following terms:-

- (i) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the accused shall have to apply for bail afresh before the trial Court.
- (iii) He shall not leave the country without the previous permission of the Court.

21.08.2018

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes.
No.